

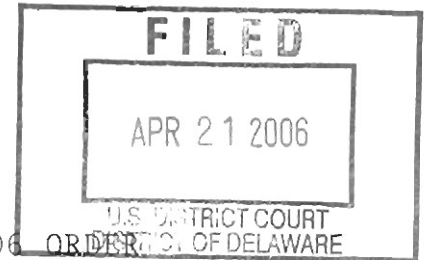
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PARRIS WALL,
Petitioner,

-vs-

Crim.Act.No.:99-033-JJF

UNITED STATES OF AMERICA,
Respondent.



PETITIONER'S REPLY TO THE COURT'S APRIL 6, 2006 ORDER AS TO WHETHER OR NOT PETITIONER WILL WAIVE HIS RIGHT TO PROCEED BY WAY OF AN EVIDENTIARY HEARING *PD scanned*

Petitioner Parris Wall, proceeding pro se, now replies to this Court's April 6, 2006 Order and hereby files his timely reply in accord with Fed.R.Crim.P. Rule 45(e). Petitioner now submits the following facts:

1. In the Court's April 6, 2006 Order, the Court makes reference to the Government's Response where the Court states in pertinent part:

"[T]he Government has filed a Response admitting that law enforcement officers from Dover Police Department seized \$591.00 from Defendant but denying that any other property was taken from Defendant and requesting an evidentiary hearing unless Defendant waives such a hearing."

See, Court's Order April 6, 2006, page 1, ¶2.

2. Petitioner directed his reply to the Court's April 6, 2006 Order because, Petitioner was never served with a copy of the Government's Response. Petitioner was not aware of the Government's Response until the reading of the Court's Order.

3. Nevertheless, in response to the Court's Order/Government's Response, Petitioner will agree to waive the evidentiary hearing and the request for the return of portfolio of car titles, rent receipts and one gold ring.

4. However, Petitioner will not waive his **right** to have his \$590.00 dollars of United States Currency returned to him which is presently being held in violation of the Constitution.

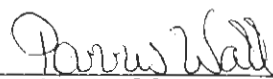
5. Located within the Court's Order/Government's Response, the Court states that the Government admitted to having seized \$591.00 dollars from Petitioner. Thus, said U.S. Currency should be returned without further undue delay.

WHEREFORE, Petitioner prays that this Court will return his illegally seized U.S. Currency now being held in violation of the United States Constitution and all just and proper in the premises.

Respectfully submitted,

Parris Wall

I HEREBY DECLARE, under the penalty of perjury that the foregoing is true and correct. Executed on 4/18/2006.



Parris Wall

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
 :
 Plaintiff, :
 :
 v. : Criminal Action No. 99-033-JJF
 :
 PARRIS WALL, :
 :
 Defendant. :

O R D E R

WHEREAS, Defendant has filed a Motion For Return Of United States Currency And Miscellaneous Property Seized During Subsequent Arrest And Search Now Held In Violation Of Fed. R. Crim. P. Rule 41(e) (D.I. 307) requesting the return of property seized from him after his arrest, including \$590.00, a portfolio of car titles, rent receipts and one gold ring;

WHEREAS, the Government has filed a Response admitting that law enforcement officers from the Dover Police Department seized \$591.00 from Defendant but denying that any other property was taken from Defendant and requesting an evidentiary hearing unless Defendant waives such a hearing;

NOW THEREFORE, IT IS HEREBY ORDERED that

1. Defendant shall file a Reply Brief to Defendant's Motion **within ten (10) days of the date of this Order** indicating whether he waives his right to a hearing such that his Motion should be resolved on the papers submitted, or whether he wishes to proceed with an evidentiary hearing.

2. Defendant's failure to timely file a response will be construed by the Court as a waiver of his right to an evidentiary hearing, and the Court will proceed to resolve Defendant's Motion on the basis of the papers submitted.

April 6, 2006
Date


UNITED STATES DISTRICT JUDGE

